<u>Remarks</u>

This is in response to the non-final Office Action mailed April 25, 2008. Claims 1-5, 11, 37-38, 41, 44-47, 49-50 and 52 remain pending in the application. Reconsideration and allowance are requested for the following reasons.

Claim Amendments

Claims 6-10 and 12-13 are canceled without prejudice or disclaimer. Claims 1, 37, 45-47, 49, 50, and 52 are amended. Subject matter from one or more of claims 6-10 and 12-13 is incorporated into claim 1. Additional support for the amendments to claim 1 is found in paragraphs [35], [37], [39] and [43]-[45] of the present application. Support for the amendments to claim 37 is found in Figures 4-6 and paragraphs [44] and [45].

Claim Rejections under 35 U.S.C. § 103

On pages 2-9 of the Action, claims 1-5, 8-10, 12, 13, 37, 38, 41, 44-47, 49, 50 and 52 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,130,664 (Suzuki) in view of U.S. Patent No. 6,762,749 (Gouzman et al.). On pages 9-10 of the Action, claim 11 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of Gouzman and further in view of U.S. Patent No. 5,446,481 (Gillick et al.). Applicant respectfully traverses the rejections.

Claims 1-5

Claim 1 is directed to a pointing device configured to communicate with navigation software running on a computer having a display. Claim 1 recites that the pointing device comprises a sensor configured to sense a physical input and a selector having a first and a second state. Claim 1 also recites that the pointing device is configured to request the navigation software to move the navigation control in accordance with a first navigation mode or a second navigation mode depending upon the state of the selector. In addition, claim 1 recites that in the first navigation mode, the navigation control moves at a first sensitivity in accordance with the

physical input, and in the second navigation mode the navigation control moves at a second different sensitivity in accordance with the same physical input.

The Action concedes that Suzuki fails to disclose that in the first navigation mode the navigation control moves at a first sensitivity in accordance with the physical input, and in the second navigation mode the navigation control moves at a second different sensitivity in accordance with the same physical input, as recited in claim 1.

Gouzman also does not disclose that in the first navigation mode the navigation control moves at a first sensitivity in accordance with the physical input, and in the second navigation mode the navigation control moves at a second different sensitivity in accordance with the same physical input, as recited in claim 1. Gouzman discloses a tactile interface system for use with multiple environments including portions of displayable data. Gouzman also discloses a first moveable navigation device for selecting data for display from one of the multiple environments and a second moveable navigation device for simultaneously selecting data for display from a different one of the multiple environments. See column 2, lines 35-47 of Gouzman. Gouzman thus discloses <u>two separate</u> navigation devices. Each of these two separate navigation devices moves in accordance with <u>two separate physical inputs</u>. Therefore, Gouzman does <u>not</u> disclose that in the first navigation mode the navigation control moves at a first sensitivity in accordance with the physical input, and in the second navigation mode the navigation control moves at a second different sensitivity in accordance <u>with the same physical input</u>, as required by claim 1.

In addition, Gouzman discloses that one or more of the navigation devices have associated therewith a selector device for enabling the input of commands into the computer system in association with the selected portion of a multiple data field environment (MDFE). See column 2, lines 48-52 of Gouzman. However, Gouzman does <u>not</u> disclose or suggest that one navigation device can be used to select a first navigation mode and a second navigation mode. The selector device disclosed in Gouzman is used for enabling the input of commands into the computer system in association with the selected portion of the MDFE. There is no disclosure or suggestion in Gouzman that the selector device is used to select between a first navigation mode and a second navigation mode. Therefore, Gouzman does not disclose that in

the first navigation mode the navigation control moves at a first sensitivity in accordance with the physical input, and in the second navigation mode the navigation control moves at a second different sensitivity in accordance with the same physical input, as required by claim 1.

For at least these reasons, claim 1 is allowable over the combination of Suzuki and Gouzman. In addition, since claims 2-5 depend either directly or indirectly from claim 1, claims 2-5 are also allowable.

Claims 37, 38, 41, and 44

Claim 37 is directed to an apparatus comprising a sensor and a selector for controlling two-dimensional movement of a navigation control. Claim 37 recites that the sensor is configured to sense a physical input, the apparatus configured to control two-dimensional movement of a displayed a navigation control in accordance with the physical input. Claim 37 also recites that the selector has a first state and a second state, the apparatus configured to control the two-dimensional movement of the displayed navigation control at either a first sensitivity in accordance with the physical input or a second sensitivity in accordance with the same physical input.

As noted above, Suzuki does not disclose controlling the movement of a displayed navigation control at either a first sensitivity or at a second sensitivity. Gouzman also does not disclose a first sensitivity in accordance with a physical input or a second sensitivity in accordance with the same physical input. For at least these reasons, claim 37 is allowable over the combination of Suzuki and Gouzman. Since claim 38, 41 and 44 depend from claim 37, claims 38, 41 and 44 are also allowable.

Claims 45-47, 49, 50 and 52

Claim 45 is directed to a pointing device configured to communicate with navigation software running on a computer having a display, the pointing device including a selector and a sensor, the selector being an angular sensor. Claim 45 recites, in part, that the sensor is coupled to the selector and configured to sense a second physical input, the pointing device configured to

request the navigation software to translate a navigation control across the display at a first sensitivity in accordance with the second physical input while the selector is in the first state, and to request the navigation software to translate the navigation control across the display at a second sensitivity in accordance with the second physical input while the selector is in the second state.

As noted above, Suzuki does not disclose controlling the movement of a displayed navigation control at either a first sensitivity or at a second sensitivity. Therefore, Suzuki does not disclose the limitation that the sensor is coupled to the selector and configured to sense a second physical input, the pointing device configured to request the navigation software to translate a navigation control across the display at a first sensitivity in accordance with the second physical input while the selector is in the first state, and to request the navigation software to translate the navigation control across the display at a second sensitivity in accordance with the second physical input while the selector is in the second state.

Gouzman discloses two navigation devices, each configured to sense a tactile input independently of each other. The first navigation device senses a first physical input and the second navigation device senses a second physical input. Gouzman does not disclose or suggest a coupling between a selector that senses a first physical input and a sensor that senses a second physical input. Since there is no coupling between a selector and a sensor that senses a second physical input, Gouzman also does not disclose the limitation that the sensor is coupled to the selector and configured to sense a second physical input, the pointing device configured to request the navigation software to translate a navigation control across the display at a first sensitivity in accordance with the second physical input while the selector is in the first state, and to request the navigation software to translate the navigation control across the display at a second sensitivity in accordance with the second physical input while the selector is in the second state. For at least these reasons, claim 45 is allowable over the combination of Suzuki and Gouzman. Since claims 46, 47, 49, 50 and 52 depend from claim 45, claims 46, 47, 49, 50 and 52 are also allowable.

Claim 11

Claim 11 depends from claim 1. As discussed above, claim 1 is allowable over the combination of Suzuki and Gouzman. Gillick does not remedy the deficiencies of Suzuki and Gouzman. For at least this reason, claim 11 is allowable over the combination of Suzuki, Gouzman, and Gillick.

Conclusion

In view of the above amendments and remarks, Applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this Application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Additionally, the Commissioner is hereby authorized to charge any additional fees as set forth in §§ 38 CFR 1.16 to 1.18 which may be required for entry of these papers or to credit any overpayment to Deposit Account No. 13-2725.

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